

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01337-KBJ**

AMERICAN OVERSIGHT v. U.S. CUSTOMS AND BORDER PROTECTION

Assigned to: Judge Ketanji Brown Jackson

Case: 1:18-cv-01344-KBJ

Cause: 05:552 Freedom of Information Act

Plaintiff

AMERICAN OVERSIGHT

Date Filed: 06/06/2018

Jury Demand: None

Nature of Suit: 895 Freedom of

Information Act

Jurisdiction: U.S. Government Defendant

represented by **Sara Kaiser Creighton**
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TERMINATED: 10/21/2019

V.

Defendant

U.S. CUSTOMS AND BORDER PROTECTION

represented by **Denise M. Clark**
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TERMINATED: 11/26/2019
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TERMINATED: 04/25/2019

| Date Filed | # | Docket Text |
|------------|----------|---|
| 06/06/2018 | <u>1</u> | COMPLAINT against U.S. CUSTOMS AND BORDER PROTECTION (Filing fee \$ 400 receipt number 0090-5518711) filed by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Cafasso, Cerissa) (Entered: 06/06/2018) |
| 06/06/2018 | <u>2</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN OVERSIGHT (Cafasso, Cerissa) (Entered: 06/06/2018) |
| 06/06/2018 | | Case Assigned to Judge Ketanji Brown Jackson. (zjd) (Entered: 06/06/2018) |
| 06/06/2018 | <u>3</u> | SUMMONS (3) Issued Electronically as to U.S. CUSTOMS AND BORDER PROTECTION, U.S. Attorney and U.S. Attorney General. (zjd) (Entered: 06/06/2018) |
| 07/02/2018 | <u>4</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 6/18/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/11/2018. (Answer due for ALL FEDERAL DEFENDANTS by 7/11/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. CUSTOMS AND BORDER PROTECTION served on 6/18/2018 (Attachments: # <u>1</u> Exhibit A)(Cafasso, Cerissa) (Entered: 07/02/2018) |
| 07/11/2018 | <u>5</u> | ANSWER to Complaint by U.S. CUSTOMS AND BORDER PROTECTION.(Seabrook, April) (Entered: 07/11/2018) |
| 09/04/2018 | <u>6</u> | GENERAL ORDER AND GUIDELINES APPLICABLE TO FOIA CASES ASSIGNED TO JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Courts instructions for processing and production of records, batching motions, and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 9/4/2018. (lckbj1) (Entered: 09/04/2018) |
| 09/04/2018 | | MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall review this Court's <u>6</u> General Order and Guidelines Applicable to FOIA Cases, and promptly confer and file a joint proposed schedule for disclosure or briefing motions for summary judgment, on or before 9/18/2018. Signed by Judge Ketanji Brown Jackson on 09/4/2018. (lckbj1) (Entered: 09/04/2018) |
| 09/06/2018 | | Set/Reset Deadlines: Proposed Briefing Schedule due by 9/18/2018 (tj) (Entered: 09/06/2018) |
| 09/18/2018 | <u>7</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Cafasso, Cerissa) (Entered: 09/18/2018) |
| 10/16/2018 | | MINUTE ORDER. In light of the similar nature of this case and related case No. 18-cv-1344, and the representations in the parties <u>7</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 10/18/2018, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. If the parties joint proposed schedule for further proceedings includes future status reports, the schedule for submission of any such reports should be the same as the schedule the Court has ordered in case No. 18-cv-1344. Signed by Judge Ketanji Brown Jackson on 10/16/2018. (lckbj2) (Entered: 10/16/2018) |
| 10/16/2018 | | Set/Reset Deadlines: Joint status report due by 10/18/2018. (gdf) (Entered: 10/16/2018) |

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| 10/18/2018 | <u>8</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 10/18/2018) |
| 10/19/2018 | | MINUTE ORDER. In light of the similar nature of this case and related case No. 18-cv-1344, this Court has determined that it will consider the cases on parallel timetables. Accordingly, it is hereby ORDERED that the parties shall file a further joint status report on or before 11/16/2018, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Any proposed schedule in this matter should be the same as any schedule proposed in 18-cv-1344. Signed by Judge Ketanji Brown Jackson on 10/19/2018. (lckbj1) (Entered: 10/19/2018) |
| 10/23/2018 | | Set/Reset Deadlines: Joint Status Report due by 11/16/2018 (hs) (Entered: 10/23/2018) |
| 11/16/2018 | <u>9</u> | NOTICE of Appearance by Denise M. Clark on behalf of U.S. CUSTOMS AND BORDER PROTECTION (Clark, Denise) (Entered: 11/16/2018) |
| 11/16/2018 | <u>10</u> | Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Clark, Denise) (Entered: 11/16/2018) |
| 11/21/2018 | | MINUTE ORDER. In light of the representations in the parties' <u>10</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 12/14/2018, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 11/21/2018. (lckbj2) (Entered: 11/21/2018) |
| 11/21/2018 | | Set/Reset Deadlines: Status Report due by 12/14/2018 (tj) (Entered: 11/21/2018) |
| 12/14/2018 | <u>11</u> | Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Clark, Denise) (Entered: 12/14/2018) |
| 12/18/2018 | | MINUTE ORDER. In light of the representations in the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 1/15/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 12/18/2018. (lckbj1) (Entered: 12/18/2018) |
| 01/15/2019 | <u>12</u> | Unopposed MOTION to Stay , Unopposed MOTION for Extension of Time to <i>All Deadlines</i> by U.S. CUSTOMS AND BORDER PROTECTION (Attachments: # <u>1</u> Text of Proposed Order)(Pfaffenroth, Peter) (Entered: 01/15/2019) |
| 01/16/2019 | | MINUTE ORDER granting <u>12</u> Motion to Stay in light of lapse of appropriations. For good cause shown, it is hereby ORDERED that this case is STAYED. Counsel for Defendant shall notify the Court as soon as Congress has appropriated funds; at that point, the Court will enter an order resetting the applicable deadlines, which will be extended day-for-day with the duration of the lapse in appropriations. Signed by Judge Ketanji Brown Jackson on 1/16/2019. (lckbj1) (Entered: 01/16/2019) |
| 01/28/2019 | <u>13</u> | NOTICE <i>Of Restored Government Funding</i> by U.S. CUSTOMS AND BORDER PROTECTION (Clark, Denise) (Entered: 01/28/2019) |
| 01/31/2019 | | MINUTE ORDER. Defendant has provided notice that that an appropriations act providing funding to the Department of Justice for a three-week period of time was enacted on January 25, 2019 (ECF No. <u>25</u> .) Accordingly, it is hereby ORDERED that the stay in this matter is lifted, and that on or before 2/15/2019, the parties shall file a joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 1/29/2019. (lckbj1) (Entered: 01/31/2019) |
| 02/15/2019 | <u>14</u> | Unopposed MOTION for Extension of Time to <i>Submit Joint Status Report</i> by U.S. CUSTOMS AND BORDER PROTECTION (Clark, Denise) (Entered: 02/15/2019) |
| 02/19/2019 | <u>15</u> | Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Clark, Denise) (Entered: 02/19/2019) |
| 02/20/2019 | | MINUTE ORDER granting, for good cause shown, <u>14</u> Motion for Extension of Time to File Joint Status Report, nunc pro tunc. It is hereby ORDERED that the parties' <u>15</u> Joint Status Report is deemed timely. Signed by Judge Ketanji Brown Jackson on 2/20/2019. (lckbj1) (Entered: 02/20/2019) |

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| 02/21/2019 | | MINUTE ORDER. In light of the representations in the parties' <u>15</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 3/15/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 2/21/2019. (lckbj1) (Entered: 02/21/2019) |
| 03/15/2019 | <u>16</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 03/15/2019) |
| 03/18/2019 | | MINUTE ORDER. In light of the representations in the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 4/23/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 3/18/2019. (lckbj1) (Entered: 03/18/2019) |
| 04/23/2019 | <u>17</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 04/23/2019) |
| 04/25/2019 | <u>18</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to U.S. CUSTOMS AND BORDER PROTECTION. Attorney April Denise Seabrook terminated. (Seabrook, April) (Entered: 04/25/2019) |
| 04/26/2019 | | MINUTE ORDER. In light of the representations in the parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 6/11/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 4/26/2019. (lckbj1) (Entered: 04/26/2019) |
| 06/11/2019 | <u>19</u> | Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Clark, Denise) (Entered: 06/11/2019) |
| 06/13/2019 | | MINUTE ORDER. In light of the representations in the parties' <u>19</u> Joint Status Report, it is hereby ORDERED that, on or before 7/19/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 6/13/2019. (lckbj1) (Entered: 06/13/2019) |
| 07/19/2019 | <u>20</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 07/19/2019) |
| 07/29/2019 | | MINUTE ORDER. In light of the representations in the parties' <u>20</u> Joint Status Report, it is hereby ORDERED that, on or before 8/21/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 7/29/19. (lckbj3) (Entered: 07/29/2019) |
| 08/21/2019 | <u>21</u> | Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Text of Proposed Order)(Cafasso, Cerissa) (Entered: 08/21/2019) |
| 08/27/2019 | | MINUTE ORDER. In light of the representations in the parties' <u>21</u> Joint Status Report, it is hereby ORDERED that, on or before 9/27/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 8/27/2019. (lckbj1) (Entered: 08/27/2019) |
| 09/26/2019 | <u>22</u> | Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Clark, Denise) (Entered: 09/26/2019) |
| 09/27/2019 | | MINUTE ORDER. In light of the representations in the parties' <u>22</u> Joint Status Report, it is hereby ORDERED that, on or before 12/3/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 9/27/2019. (lckbj1) (Entered: 09/27/2019) |
| 09/30/2019 | | Set/Reset Deadlines: Joint Status Report due by 12/3/2019 (hs) (Entered: 09/30/2019) |
| 10/17/2019 | <u>23</u> | NOTICE of Appearance by Sara Kaiser Creighton on behalf of AMERICAN OVERSIGHT (Creighton, Sara) (Entered: 10/17/2019) |

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| 10/21/2019 | <u>24</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to AMERICAN OVERSIGHT. Attorney Cerissa Cafasso terminated. (Cafasso, Cerissa) (Entered: 10/21/2019) |
| 11/26/2019 | <u>25</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Michelle D. Jackson on behalf of All Defendants Substituting for attorney Denise M. Clark (Jackson, Michelle) (Entered: 11/26/2019) |
| 12/02/2019 | <u>26</u> | Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Text of Proposed Order)(Jackson, Michelle) (Entered: 12/02/2019) |
| 12/02/2019 | | MINUTE ORDER. In light of the representations in the parties' <u>26</u> Joint Status Report, it is hereby ORDERED that, on or before 3/3/2020, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 12/2/2019. (jag) (Entered: 12/02/2019) |